

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$110,000.00 IN UNITED STATES  
CURRENCY,

Defendant.

vs.

JULIO MARTINEZ,

Claimant.

8:19CV531

FIFTH AMENDED  
CASE PROGRESSION ORDER

This matter is before the Court on the plaintiff's Motion to Extend Progression Order Deadlines ([Filing No. 85](#)). For good cause shown, the Court will grant the requested extensions for all unexpired deadlines. Accordingly,

**IT IS ORDERED** that the plaintiff's Motion to Extend Progression Order Deadlines ([Filing No. 85](#)) is granted, and the fourth amended case progression order is amended as follows:

- 1) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **August 18, 2021**.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **September 16, 2021**.
- 3) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is **September 16, 2021**. Motions to compel written discovery under Rules 33, 34, 36 and 45 must be filed by **September 30, 2021**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 4) The planning conference on June 18, 2021, is cancelled. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **September 17, 2021**, at **11:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

- 5) The deadline for filing motions to dismiss and motions for summary judgment is **October 15, 2021**.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 16<sup>th</sup> day of April, 2021.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge